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7 **Attorney for Defendant, RAUL ARECHIGA, JR.**

8
9 **IN THE UNITED STATES DISTRICT COURT**
10 **IN AND FOR THE EASTERN DISTRICT OF CALIFORNIA**

11 **THE UNITED STATES OF**
12 **AMERICA,**

13 **Plaintiff,**

14 **v.**

15 **RAUL ARECHIGA, JR.,**

16 **Defendant.**
17 _____/

CASE NO. CR.S 03-0396 MCE

**STIPULATION AND
ORDER REGARDING
CONTINUANCE OF
SENTENCING HEARING**

18 It is hereby stipulated and agreed, by and between defendant, Raul Arechiga, Jr., by and through his
19 counsel, Dain P. Weiner, and the United States, through its counsel, Assistant United States Attorney Anne
20 Pings, to vacate the Sentencing hearing date of May 24, 2005, at 8:30 a.m., and to set a new Sentencing
21 hearing date for July 26, 2005, at 8:30 a.m.

22 In support of this stipulation, the parties proffer the following:

23 1. Defense counsel needs additional time to investigate matters that will likely lead to a disposition
24 in the case. Defense counsel also needs time to investigate matters that will affect sentencing in this case.

25 2. Counsel has personally conferred with defendant. Defendant has no objection to the continuance
26 to July 26, 2005.

27 3. The proposed date is available to defense counsel, to the government, and according to the Court's
28 clerk, is available to the Court.

1 4. The parties agree that it is appropriate to exclude time under the Speedy Trial Act. 18 U.S.C.
2 Section 3161(h)(8)(iv) (preparation of counsel), in that the ends of justice will be served by allowing
3 defendant's counsel of choice time to review discovery and conduct investigation in a manner he believes
4 necessary to provide effective representation of his client.

5 Dated: May 13, 2005

Respectfully submitted,

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8 /s/
DAIN P. WEINER
Attorney for Defendant
9 RAUL ARECHIGA, JR.

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McGREGOR W. SCOTT
United States Attorney

By: _____
ANNE PINGS,
Assistant United States Attorney.

IT SO ORDERED.

Dated: May 20, 2005

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MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE